

October 8, 2003

Mr. Collin Engebretson, General Manager
Light and Power Commission, City of Glencoe
305 11th Street East
Glencoe, Minnesota 55336

Dear Mr. Engebretson:

This letter confirms that the Minnesota Environmental Quality Board has received notification that the Light and Power Commission, City of Glencoe, has applied to McLeod County for a conditional use permit to construct a 115 kV transmission line. The proposed transmission line will be approximately 9.5 miles in length.

This project falls under the Power Plant Siting Act, Minnesota Statutes § 116C.51-.69, and Minnesota Rules chapter 4400, which, for most transmission line projects over 100 kV, requires a permit from the EQB. Minn. Stat. § 116C.61 subd.1 provides that the EQB permit supersedes and preempts all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, and local governments and special purpose government districts. However, for eligible projects, a utility may apply to those local units of government that have jurisdiction over the route for approval to build the project instead of applying to the EQB. The proposed 115 kV transmission line project is eligible for local review. [Minn. Stat. § 116C.576 and Minn. R. part 4400.5000 subp. 2 C]

You have indicated that McLeod County is the Responsible Government Unit with local jurisdiction over the project. The County may relinquish its jurisdiction by requesting the EQB to assume jurisdiction within 60 days of the filing of an application with the local unit of government.

An environmental assessment must be prepared by the responsible government unit. Specific requirements with regard to the environmental review process include an opportunity for the public to participate in the development of the scope of the environmental assessment before it is prepared, notification in the *EQB Monitor* of when the assessment is available for review and of the procedure for commenting on the assessment, and providing a copy of the assessment to the EQB. The final governmental decision on the project cannot be made until at least ten days after the notice appears in the *EQB Monitor*. [Minn. R. 4400.5000 subp. 5]

Also note the required notice by the Light and Power Commission to those persons on the EQB power plant siting general notification list that a permit has been applied for from the local unit of government. [Minn. R. 4400.5000 subp. 3] I have provided Mr. Kadrmas of SEH, Inc. with an electronic file of that list of persons by email.

If you have any questions, please feel free to contact me.

Sincerely,

David Birkholz
MN Environmental Quality Board
300 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155
(P) 651-296-2878
(F) 651-296-3698
(E) david.birkholz@state.mn.us

cc: Mr. Clarence Kadrmas, SEH, Inc.
Mr. Larry Gasow, McLeod County Planning and Zoning